

W.P. No. 564 (M/B) of 2003

Hon. Irshad Hussain, J.

Hon. M.M.Ghildiyal, J.

Heard Sri S.K.Garg
petitioner in person.

This is a a public interest litigation petition seeking a writ in the nature of mandamus commanding the respondents nos.1 to 3 to direct the respondent no.4 not to charge arbitrary rates from the visitors who stay in hotels in Nainital. Various other reliefs have also been sought by way of this petition.

It is well settled that a PIL is entertainable if there is violation of human rights or Article 21 of the Constitution of India and where the litigation could not be initiated by an under-privileged or poor class due to some disadvantage. These elements are not satisfied by the averments of the petition. In view of this, we do not propose to entertain the petition. It is dismissed accordingly.

(Irshad Hussain, J.)(M.M.Ghildiyal, J.)

27.06.2003./B.